

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

RUFFUS GRAY,
ADC #141375

PLAINTIFF

v.

5:08CV00128JMM-JTK

CLARK COUNTY JAIL, et al.

DEFENDANTS

ORDER

Defendant A. Moskovich, the sole remaining defendant in this action, filed a motion for summary judgment on February 3, 2010 (Doc. No. 96). By Order dated March 2, 2010, this Court directed plaintiff to file a response to the motion within ten days of the date of the Order (Doc. No. 99). The Court further advised plaintiff that failure to respond could result in the dismissal without prejudice of his complaint, pursuant to Local Rule 5.5(c)(2).

Plaintiff has not filed a response, but the interlocutory appeal he filed on December 3, 2009 was dismissed by the United States Court of Appeals for the Eighth Circuit on April 5, 2010 (Doc. No. 107). Therefore, this Court will provide plaintiff one final opportunity in which to respond to defendant's motion. Accordingly,

IT IS, THEREFORE, ORDERED, that plaintiff shall file a response to defendant's motion for summary judgment within fifteen (15) days of the date of this Order. Failure to file such may result in the dismissal without prejudice of plaintiff's complaint. See Local Rule 5.5(c)(2).

IT IS SO ORDERED this 23rd day of April, 2010.



UNITED STATES MAGISTRATE JUDGE